

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DANIELLA K. MELEGH,

Plaintiff,

v.

KERI NELSON PENNELL, *et al.*,

Defendants.

NO. C23-1490RSL

ORDER DENYING APPOINTMENT
OF COUNSEL

This matter comes before the Court on plaintiff's application for court-appointed counsel.
Dkt. # 6.

Generally, a person has no right to counsel in civil actions. *See Storseth v. Spellman*, 654 F.2d 1349, 1353 (9th Cir. 1981). However, a court may under "exceptional circumstances" appoint counsel for indigent civil litigants pursuant to 28 U.S.C. § 1915(e)(1). *Agyeman v. Corrs. Corp. of Am.*, 390 F.3d 1101, 1103 (9th Cir. 2004). When determining whether "exceptional circumstances" exist, a court must consider "the likelihood of success on the merits as well as the ability of the petitioner to articulate his claims pro se in light of the complexity of the legal issues involved." *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983). Neither of these considerations is dispositive and instead must be viewed together. *Wilborn v. Escalderon*, 789 F.2d 1328, 1331 (9th Cir. 1986).
Palmer v. Valdez, 560 F.3d 965, 970 (9th Cir. 2009).

Plaintiff has demonstrated sufficient writing ability and legal knowledge to articulate her

1 claim of disability discrimination. The facts she alleges and the issues she raises are not overly
2 complicated. Although more details may be needed to adequately state and prove a legal claim
3 based on the facts alleged, *see Arizona ex rel. Goddard v. Harkins Amusement Enterprises, Inc.*,
4 603 F.3d 666, 669–70 (9th Cir. 2010) (noting that a claim under Title III of the Americans with
5 Disabilities Act (“ADA”) requires a showing that plaintiff is disabled within the meaning of the
6 ADA, that defendant is a private entity that owns, leases, or operates a place of public
7 accommodation, and that plaintiff was denied public accommodations by the defendant because
8 of her disability), there is nothing to suggest that plaintiff is incapable of providing those details.
9 Plaintiff has not shown the sort of exceptional circumstances that justify appointment of counsel
10 at the public’s expense.
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14 For all of the foregoing reasons, the motion for appointment of counsel (Dkt. # 6) is
15 DENIED.
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17 Dated this 29th day of September, 2023.
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21 Robert S. Lasnik
22 United States District Judge
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